IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

MONDAY, THE 20TH NOVEMBER 2006 / 29TH KARTHIKA 1928

WP(C).No. 21126 of 2006(M)

PETITIONER:

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1. MARY DAFRINI K.F., D/O.FRANCISE,
   AGED 20 YEARS, KEETTUPARAMBIL HOUSE,
   PANANGAD P.O., ERNAKULAM.

2. MATHEW ANEESH I.A., S/O. I.M.ANTONY,
   AGED 21 YEARS, ISHNASSERIL HOUSE, PANANGAD,
   ERNAKULAM.

3. JOPHIN C.X., S/O. XAVIER,
   AGED 20 YEARS, ANJILICKAL HOUSE, CHATHAMA,
   PANANGAD P.O., ERNAKULAM.

4. JOBIN K.G., AGED 20 YEARS,
   S/O. GEORGE K.E., KARIKKAMURI HOUSE, PANANGAD.

5. MISS. JASMINE MATHEW, AGED 20 YEARS,
   D/O.I.M. MATHEW, ISHNASSERIL HOUSE, PANANGAD P.O.,
   ERNAKULAM DISTRICT.

6. EBISON C.A., S/O. THOMAS,
   AGED 20 YEARS, EBI BHAVAN, PANANGAD P.O.,ERNAKULAM

7. ARUN VARGHESE, S/O. VARKEY,
   AGED 20 YEARS, ARACKAL HOUSE, CHATHAMA,
   PANANGAD P.O., ERNAKULAM.

8. JENCY M.J., D/O. K.P.JOY,
   AGED 20 YEARS, MATHALIL HOUSE, PANANGAD.

9. ANEESH M.S., AGED 20 YEARS,
   S/O. SALIM KUMAR M.K., MADATHIPARAMBIL HOUSE,
   CHATHAMA.

BY ADV. SRI.K.V.SABU
SRI.I.T.GEORGE

RESPONDENTS:
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1. DEPUTY DIRECTOR OF FISHERIES,
OFFICE OF THE DEPUTY DIRECTOR, ERNAKULAM.

2. THE PRINCIPAL,
N.S.S. HIGHER SECONDARY SCHOOL, PANAVALLY,
THRICHATTUKULAM P.O.

3. SECRETARY TO GOVERNMENT,
DEPARTMENT OF FISHERIES, SECRETARIAT,
THIRUVANANTHAPURAM.

4. SECRETARY TO GOVERNMENT,
EDUCATIONAL DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

Addl.R5. DEPUTY DIRECTOR OF FISHERIES
OFFICE OF THE DEPUTY DIRECTOR,
ALAPPUZHA
(Additional R5 is impleaded as per order dated
23-8-2006 in I.A.11633/06)

BY ADV. SRI.P.G.PARAMESWARA PANICKER (SR.)
ADV. SRI.P.GOPAL
GOVERNMENT PLEADER SRI.P.BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 20/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

Ext.P1: A copy of the application filed by the 5th petitioner.

Ext.P2: A copy of the letter dated 13-9-2005 bearing No.144/05-06.

Ext.P3: A copy of the letter dated 13-9-2005 bearing No.144/05-06 and 145/2005-06.

RESPONDENT'S EXHIBITS:

Ext.R2(a): True copy of the relevant page of the Outward Register of the school at the relevant time.

Ext.R2(b): True copy of the letter dated 1-2-2006 of the Deputy Director, Department of Fisheries, Alappuzha.

// True copy //

P.A. to Judge

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C.N.RAMACHANDRAN NAIR, J.

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W.P.(C)NO.21126 OF 2006

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Dated this the 20th day of November 2006

JUDGMENT

Heard counsel for the petitioners, counsel for the second respondent and the Government pleader.

2. Writ petition is filed for a direction to the first respondent to issue the educational grant provided to children of fishermen which petitioners claim to be. Government Pleader submitted that application has to be filed before the 5th respondent, Deputy Director of Fisheries, Alappuzha as the educational institution is in Alleppey district. Counsel for the petitioners rightly pointed out that since petitioners are residing in Ernakulam district, the first respondent is the authority to certify their eligibility after collecting information from the Malsya Thozhilali Kshemanidhi Board. In any case if the first respondent is not the authority, it is for him to transfer the files to the 5th respondent for follow up action.

3. In the circumstances, there will be a direction to the respondents 1 and 5 to co-ordinate in the matter of collecting information from the concerned Malsya Thozhilali Kshemanidhi

Board and issue eligibility certificate, if petitioners are eligible, within a period of six weeks from the date of production of a copy of this judgment and eligible amounts should be disbursed within six weeks thereafter. Petitioners shall produce a copy of the judgment before the respondents 1 and 5 for compliance.

Writ petition is disposed of as above.

C.N.RAMACHANDRAN NAIR, JUDGE

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